

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEON BRICE,	:	CIVIL ACTION NO. 1:03-CV-1979
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
CITY OF YORK, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 23rd day of December, 2005, upon consideration of the correspondence dated December 20, 2005, from the Office of the Attorney General of New York and addressed to the attention of the court, averring that plaintiff in the above-captioned case is presently incarcerated in a New York state correctional institution and will not be released for a period of eight to thirteen months, and it appearing that trial in this case is scheduled to commence on February 6, 2006 (see Doc. 56), but that good cause exists for a continuance of these proceedings, see FED. R. CIV. P. 16(b)(6) ("A [pre-trial] schedule shall not be modified except upon a showing of good cause . . ."), it is hereby ORDERED that:

1. The Clerk of Court is directed to DOCKET the December 20, 2005, correspondence from the Office of the Attorney General of New York as a "Notice of Incarceration."
2. Proceedings in this case are STAYED indefinitely pending plaintiff's release from incarceration.
3. Plaintiff shall file with this court a notice of the status of, and any pendency of release from, his incarceration on or before May 1, 2006, and on or before the first day of every second month thereafter. Failure to comply with this paragraph may result in the dismissal of this case for failure to comply with an order of court and for failure to

prosecute. See FED. R. CIV. P. 41(b); L.R. 83.3.1.

4. A revised pre-trial and trial schedule shall issue by future order of court.
5. The Clerk of Court is directed to CLOSE this case for statistical purposes only.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge